

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 16-cr-20471

v.

Hon. George Caram Steeh

LAVELLE DEVAUGHN PATTERSON,

Defendant.

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AMENDED ORDER OF FORFEITURE

On August 14, 2017, the Court entered a Preliminary Order of Forfeiture (the “Forfeiture Order”) forfeiting Defendant Lavelle Devaughn Patterson’s interest in the following firearm to the United States: one (1) ISSC Model M22 semi-automatic .22LR caliber pistol, bearing serial number A01099 (the “Subject Firearm”). (Dkt. # 32). Pursuant to the Forfeiture Order and Federal Rule of Criminal Procedure 32.2(b)(4)(A), the Forfeiture Order became final as to Defendant at sentencing and forfeiture of the Subject Firearm was made a part of Defendant’s sentence and included in his Judgment on September 20, 2017. (Dkt. # 34).

The Court retains jurisdiction to enforce the Forfeiture Order and to amend it as necessary pursuant to Federal Rule of Criminal Procedure 32.2(c)(2).

Pursuant to the Forfeiture Order, Title 21, United States Code, Section 853(n)(1) and Federal Rule of Criminal Procedure 32.2(b)(6), Plaintiff published notice of the Forfeiture Order on the internet site, www.forfeiture.gov. Publication lasted for thirty consecutive days, from August 15, 2017 through September 13, 2017. (Dkt. # 36). Based on the dates of publication, third parties with a claim to the Subject Firearm needed to file a petition with the Court by October 14, 2017. Plaintiff also sent direct notice to all persons it had reason to believe may have an interest in the Subject Firearm. (Dkt # 37).

In response to Plaintiff's direct notice, the owner of Shooter's Edge, LLC timely contacted the U.S. Attorney's Office regarding its claim to the Subject Firearm.

Plaintiff, through the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), conducted an investigation and determined that: (1) Shooter's Edge is a Federal Firearms Licensee; (2) Shooter's Edge reported the Subject Firearm stolen on or about May 1, 2016; (3) Shooter's Edge completed and filed a Federal Firearms Licensee Firearms Inventory Theft/Loss Report identifying the Subject Firearm. Law enforcement subsequently recovered the Subject Firearm on Defendant's person on or about May 26, 2016.

Based on ATF's Investigation of this matter, Plaintiff's application for entry of an Amended Order of Forfeiture, and all other information in the record, and

pursuant to Federal Rule of Criminal Procedure 32.2(c)(2), the Forfeiture Order is amended as follows:

IT IS HEREBY ORDERED that Plaintiff shall return the Subject Firearm, one (1) ISSC Model M22 semi-automatic .22LR caliber pistol, bearing serial number A01099, to its owner of record, Shooter's Edge, at such time and in such manner as is mutually convenient after the Subject Firearm is no longer needed as evidence in this criminal action.

IT IS FURTHER ORDERED that all other terms of the Forfeiture Order remain in effect and the Preliminary Order of Forfeiture shall not be amended in any other respect.

The Court shall retain jurisdiction to enforce this Order and to further amend it as necessary pursuant to Federal Rules of Criminal Procedure 32.2.

IT IS SO ORDERED.

Dated: December 28, 2017

s/George Caram Steeh
HON. GEORGE CARAM STEEH
United States District Judge